

Drinking Water PWSS Proposed FY17 PPA/GPRA Goals:

SDW-01a	Percent of community water systems (CWSs) that have undergone a sanitary survey within the past three years (five years for outstanding performers or those ground water systems approved by the primacy agency to provide 4-log treatment of viruses).	90%
SDW-211	Percent of the population served by community water systems that receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.	85%
SDW-SP1.N11	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	80%
SDW-SP2	Percent of "person months" (i.e. all persons served by community water systems times 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards.	85%

Enforcement NPDES edits (Stephanie Dejong)

(Stephanie Dejong) "Make change in ND PPA, shown in red below. This is on page 99".

B. NPDES National and Regional Enforcement Initiatives

- EPA will perform inspections in regional and national enforcement initiatives according to national and regional guidance and this workplan. The enforcement initiatives include: Municipal Wet Weather Infrastructure; Concentrated Animal Feeding Operations (CAFOs); ~~Industrial~~; and Energy Extraction. EPA will conduct inspection follow up and enforcement for those facilities it inspects. EPA will work with the state to determine number of inspections to be conducted and months/dates that these will occur if necessary.

North Dakota Department of Health

2016 NDPDES Amendment for Pretreatment and CAFO Rule Adoption Milestones

After Discussions with NDDH program staff [Karl Rockeman and Marty Haroldson], EPA staff [Sarah Bahrman, Gwen Campbell, Colleen Rathbone, VelRey Lozano, Al Garcia and Qian Zhang] on August 3rd, 2016, the agencies have agreed to modify the milestone dates for completion of regulatory actions to meet the implementation requirements of the 2005 Pretreatment Streamlining Regulations and the 2008 CAFO Rule Program Revisions. The milestones are being established to ensure a defined timeline for completion of the regulatory updates by the end of FY17. These milestones will correspond to ND legislative timelines and process requirements.

The NDDH will submit a draft regulatory package to the EPA for approval by December 31, 2016 which will ensure the state Pretreatment and CAFO programs are at least as stringent as the federal program. The regulatory package must include: 1) draft state Pretreatment and CAFO regulations; 2) a revised state program description. Additionally, a complete Pretreatment and CAFO regulatory crosswalk will be submitted with the draft regulatory package¹.

Changes to the 2016-2017 PPA will include:

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	RESPONSIBLE AGENCY
Implement Pretreatment Program in authorized states (ND, SD, UT) including:			
a. Update the State Pretreatment Rules to include the 2005 Pretreatment Streamlining Regulations.	Ongoing	FY16	WQ
1) NDDH will submit draft state updated Pretreatment regulations;		Dec. 31, 2016	
2) a revised state program description;		Dec. 31, 2016	
3) a draft Pretreatment regulatory crosswalk will be submitted with the draft regulatory package.		Dec. 31, 2016	
4) an Attorney General statement outlining the authorities of the state program (40 CFR 123.62)		Dec. 31, 2016 Sept. 2017	
5) Submit final package to ND Legislature for finalization		2016 Sept. 2017	
b. Perform audits on all approved pretreatment programs at least once every five years.	Ongoing	Sept. 2017 Current FY	WQ
c. Identify CIUs, when feasible, in areas served by non-approved programs and develop appropriate control mechanisms and issue appropriate CIU permits.	Ongoing	Current FY	WQ
d. Receive and appropriately evaluate annual reports submitted by local pretreatment programs.	Ongoing	March 28 th	WQ
e. Provide annual WQ 14b data to the EPA Region 8 Pretreatment Coordinator.	Ongoing	October 15 th	WQ
Implement the Unified National Strategy for Animal Feeding Operations - March 9, 1999 to the maximum extent possible. Specific commitments include:			
a. Permit all CAFOs in accordance with the deadlines established in the February 12, 2003, February 10, 2006 and December 22, 2008, federal regulations.	Ongoing	FY16	EPA

¹ §123.62 (b) Revision of a State program shall be accomplished as follows: (1) The State shall submit a modified program description, Attorney General's statement, Memorandum of Agreement, or such other documents as EPA determines to be necessary under the circumstances.

a. Update the State CAFO Rules to include the 2008 Federal Regulations.

1) NDDH will submit final draft (should this be draft?) state updated CAFO regulations;

Dec. 31, 2016 WQ

2) a revised state program description; and

3) a draft CAFO regulatory crosswalk will be submitted with the draft regulatory package.

Dec. 31, 2016

Dec. 31, 2016

4) an Attorney General statement outlining the authorities of the state program (40 CFR 123.62)

Dec. 31,

2016Sept.

2017

5) Submit final package to ND Legislature for finalization.

Sept. 2017

b. For all permitted CAFOs, enter permit facility data, permit event data and inspection data into state livestock data base system and provide quarterly reports

c. Implement the state's program to address all animal feeding operations that are impacting water quality. Provide progress on implementation to EPA.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight